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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,715	02/19/2004	Robert Staggs	026595-004800US	5593
20350 7590 01/20/2010 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834				
EXAMINER				
ORTIZ, BELIX M				
ART UNIT		PAPER NUMBER		
2164				
MAIL DATE		DELIVERY MODE		
01/20/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/783,715

## Applicant(s)

STAGGS, ROBERT

## Examiner

BELIX M. ORTIZ

## Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11, 18-24 and 26-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 18-24, 26-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Remarks***

1. In response to communications files on 11-September-2009. Therefore, claims 1-11, 18-24, and 26-30 are presently pending in the application.

### ***Response to Arguments***

2. Applicant's arguments, see Appeal Brief, filed 9/11/2009, with respect to the rejection(s) of claim(s) 1-11, 18-24, and 26-30 under Schmonsees and Tami have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7 and 29-30 are rejected under 35 U.S.C. 103(a) (Eff. Filing date of application 2/19/2004) as being unpatentable over Schmonsees (U.S. patent 5,842,221) (Eff. filing date of application 2/19/1997) in view of Tami et al. (US Pub. 2004/0133474) (Eff. filing date of application: 12/31/2002) (hereinafter Tami) further in view of eHelp (DynaHelp Analyzes

customer interactions to Dynamically improve web site Usability (Eff. filing date of publication: 10/23/2000) (Hereinafter eHelp).

As to claim 1, Schmonsees teaches a computer-implemented method comprising:  
receiving a request from a user to access a frequently asked questions (FAQ) page in order to obtain information, wherein the FAQ page provides at least one question with an answer corresponding to the question (see abstract and column 1, lines 4-7).

Schmonsees does not expressly teach retrieving account data for the user, wherein the account data is associated with personal data related to the user; and

wherein the selected questions along with the corresponding answers are displayed to the user.

Tami teaches method of processing customer information for a retail environment (see abstract), in which he teaches retrieving account data for the user, wherein the account data is associated with personal data related to the user (see paragraphs 322 and 416); and

wherein the selected questions along with the corresponding answers are displayed to the user (see paragraphs 416, 424 and 443).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Schmonsees by the teaching of Tami because retrieving account data for the user, wherein the account data is associated with personal data related to the user; and wherein the selected questions along with the corresponding answers are displayed to the user, would enable the method to show to the right user the account that belong to that user and the method facilitate the search to the user providing information in view of the user personal data.

Schmonsees nor Tami expressly teaches selecting at least one of a set of questions to display to the user based on the account data so that the set of question are personal to the user based on the personal data of the user, rather than based solely on topics selected by the user.

eHelp teaches customer assistance software solution (see document), in which he teaches selecting at least one of a set of questions to display to the user based on the account data so that the set of question are personal to the user based on the personal data of the user, rather than based solely on topics selected by the user (see page 2, paragraph 5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Schmonsees by the teaching of eHelp because selecting at least one of a set of questions to display to the user based on the account data so that the set of question are personal to the user based on the personal data of the user, rather than based solely on topics selected by the user, would enable the method to save some time to the user every time the user login on the account.

"Patent-pending iPredict technology anticipates where customers need help based on prior patterns, and has the answers waiting for them. Ineffect, iPredict dynamically generates FAQ's for the Web site, and then continuously updates them to stay in sync with new content and with customers changing needs. This instant assistance and targeted information leads to greater site usability and increased customer satisfaction", (see page 2, paragraph 5).

As to claim 2, Schmonsees as modified teaches the method further comprising formatting a set of personalized answers to the set of questions using the account data (see Schmonsees,

column 3, lines 56-58).

As to claim 3, Schmonsees as modified teaches wherein formatting a set of personalized answers comprises selecting a first answer for a first question from a set of answers for the first question (see Schmonsees, claim 1 and column 3, lines 56-58).

As to claim 4, Schmonsees as modified teaches wherein selecting a first answer comprises determining when a condition for the first answer is satisfied (see Schmonsees, claim 1).

As to claim 5, Schmonsees as modified teaches the method further comprising displaying the set of questions and the set of personalized answers to the user (see Schmonsees, column 2, lines 29-40 and column 5, lines 27-32).

As to claim 6, Schmonsees as modified teaches the method further comprising:  
before displaying the questions, determining an order for the set of questions using the user data (see Schmonsees, column 4, lines 35-43 and column 5, lines 8-15); and  
wherein displaying the set of questions comprises displaying the set of questions in the determined order (see Schmonsees, figure 6).

As to claim 7, Schmonsees as modified teaches wherein formatting a set of personalized answers comprises formatting at least one question to display information specific to the user by

using the user account data (see Schmonsees, claim 1; column 3, lines 56-58; and column 4, lines 35-43).

As to claim 29, Schmonsees teaches a computer-implemented method comprising:  
receiving a request from a user to access a frequently asked questions (FAQ) page in order to obtain information, wherein the FAQ page provides at least one question with an answer corresponding to the question (see abstract and column 1, lines 4-7); and

determining an order for the set of question based on the account data (see col. 4, lines 35-43 and col. 5, lines 8-15).

Schmonsees does not expressly teach retrieving account data for the user, wherein the account data is associated with personal data related to the user; and

displaying the selected questions to the user in the determined order along with the corresponding answers.

Tami teaches method of processing customer information for a retail environment (see abstract), in which he teaches retrieving account data for the user, wherein the account data is associated with personal data related to the user (see paragraphs 322 and 416); and

displaying the selected questions to the user in the determined order along with the corresponding answers (see paragraphs 416, 424 and 443) also (see Schmonsees fig. 6).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Schmonsees by the teaching of Tami because retrieving account data for the user, wherein the account data is associated with personal data related to the user; and wherein the selected questions along with the corresponding answers are displayed to

the user, would enable the method to show to the right user the account that belong to that user and the method facilitate the search to the user providing information in view of the user personal data.

Schmonsees nor Tami expressly teaches selecting at least one of a set of questions to display to the user based on the account data so that the set of question are personal to the user based on the personal data of the user, rather than based solely on topics selected by the user.

eHelp teaches customer assistance software solution (see document), in which he teaches selecting at least one of a set of questions to display to the user based on the account data so that the set of question are personal to the user based on the personal data of the user, rather than based solely on topics selected by the user (see page 2, paragraph 5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Schmonsees by the teaching of eHelp because selecting at least one of a set of questions to display to the user based on the account data so that the set of question are personal to the user based on the personal data of the user, rather than based solely on topics selected by the user, would enable the method to save some time to the user every time the user login on the account.

"Patent-pending iPredict technology anticipates where customers need help based on prior patterns, and has the answers waiting for them. Ineffect, iPredict dynamically generates FAQ's for the Web site, and then continuously updates them to stay in sync with new content and with customers changing needs. This instant assistance and targeted information leads to greater site usability and increased customer satisfaction", (see page 2, paragraph 5).



As to claim 30, Schmonsees as modified teaches wherein the account data is related to activity in a user account (see Tami, paragraphs 424 and 442).

5. Claims 18, 20, and 22-23 are rejected under 35 U.S.C. 103(a) (Eff. Filing date of application 2/19/2004) as being unpatentable over Schmonsees (U.S. patent 5,842,221) (Eff. filing date of application 2/19/1997) in view of Bussey et al. (U.S. patent 6,377,944) (Eff. Filing date of application: 12/11/1998) (hereinafter Bussey) and further in view of Tami et al. (US Pub. 2004/0133474) (Eff. filing date of application: 12/31/2002) (hereinafter Tami).

As to claim 18, Schmonsees teaches a computer-implemented method comprising:  
receiving a request from a user to access a frequently asked questions (FAQ) page about a loan acceleration program, wherein the FAQ page provides at least one question with an answer corresponding to the question (see abstract and column 1, lines 4-7);

retrieving account data for the user, the account data including a type of repayment schedule for the loan acceleration program (see column 3, lines 50-55 and column 5, lines 8-19);  
and

selecting a first question to display to the user based on type of repayment schedule (see claim 1).

Schmonsees does not expressly teach selecting at least one additional question to display to the user using the account data.

Buscy teaches web response unit including computer network based communication (see abstract), in which he teaches selecting at least one additional question to display to the user using the account data (see fig. 3, character 310).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Schmonsees by the teaching of Buscy because selecting at least one additional question to display to the user using the account data, would enable the method to show to the right user the account that belong to that user and the method facilitate the search to the user providing information in view of the user preferences.

Schmonsees does not expressly teach wherein the selected questions along with the corresponding answers are displayed to the user

Tami teaches method of processing customer information for a retail environment (see abstract), in which he teaches wherein the selected questions along with the corresponding answers are displayed to the user (see paragraphs 416, 424 and 443).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Schmonsees by the teaching of Tami because wherein the selected questions along with the corresponding answers are displayed to the user, would enable the method to show extra information to the user, information that maybe it will be useful to him/her.

As to claim 20, Schmonsees as modified teaches the method further comprising formatting an answer to one of the questions using the account data (see Schmonsees, column 3, lines 56-58).

As claim 22, Schmonsees as modified teaches the method further comprising determining that the account data indicates a recent change to the account; and selecting a second question related to the change to display to the user (see Schmonsees, claim 1; col. 2, line 29-40; col. 4, lines 35-43; col. 5, lines 27-32)

As claim 23, Schmonsees as modified teaches the method further comprising ordering the second question to be displayed before the first question and the additional question (see Schmonsees, col. 4, line 35-43 and col. 5, lines 8-15).

6. Claims 8-11 and 19 are rejected under 35 U.S.C. 103(a) (Eff. Filing date of application 2/19/2004) as being unpatentable by Schmonsees (U.S. patent 5,842,221) (Eff. filing date of application 2/19/1997) in view of in view of Tami et al. (US Pub. 2004/0133474) (Eff. filing date of application: 12/31/2002) (hereinafter Tami) further in view of eHelp (DynaHelp Analyzes customer interactions to Dynamically improve web site Usability (Eff. filing date of publication: 10/23/2000) (Hereinafter eHelp), as applied to claims 1-7 and 29-30 above, and further in view of Namba (U.S. Pub. 2003/0018629) (Eff. Filing date of application 1/31/2002).

As to claim 8, Schmonsees teaches wherein determining the set of questions comprises: evaluating a condition for a first question (see claim 1).

Schmonsees does not teach when the condition is satisfied, selecting the first question.

Namba teaches document clustering device, document searching system, and FAQ preparing system (see abstract), in which he teaches when the condition is satisfied, selecting the first question (see abstract).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Schmonsees by the teaching of Namba because when the condition is satisfied, selecting the first question, would enable the method to continue with the next step if the user past the condition, this make the method more secure.

As to claims 9, 10, 11, Schmonsees as modified teaches wherein the FAQ pages have condition (see Namba, abstract and paragraph 36).

As to claim 19, Schmonsees teaches the method further comprising:  
selecting an answer for one of the questions from a set of answers based on the determining (see figure 6).

Schmonsees does not teach determining that the account data indicates the user is eligible for a service.

Namba teaches document clustering device, document searching system, and FAQ preparing system (see abstract), in which he teaches determining that the account data indicates the user is eligible for a service (see abstract).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Schmonsees by the teaching of Namba because determining that the account data indicates the user is eligible for a service, would enable the method to continue with the next step if the user past the condition, this make the method more secure.

7. Claim 21 is rejected under 35 U.S.C. 103(a) (Eff. Filing date of application 2/19/2004) as being unpatentable by Schmonsees (U.S. patent 5,842,221) (Eff. filing date of application 2/19/1997) in view of Busey et al. (U.S. patent 6,377,944) (Eff. Filing date of application: 12/11/1998) (hereinafter Busey) and in view of Tami et al. (US Pub. 2004/0133474) (Eff. filing date of application: 12/31/2002) (hereinafter Tami), as applied to claims 18, 20, 22-24, and 26-28 above, and further in view of Lee et al. (U.S. Pub. 2003/0200118) (Eff. Filing date of application 4/18/2003).

As to claim 21, Schmonsees does not teach wherein formatting an answer comprises inserting a payment amount paid by the user into the answer.

Lee et al. teaches system and method for payment of medical claims (see abstract), in which he teaches wherein formatting an answer comprises inserting a payment amount paid by the user into the answer (see abstract and paragraph 3).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Schmonsees by the teaching of Lee et al., because wherein formatting an answer comprises inserting a payment amount paid by the user into the answer, would enable the method to add more information to the answer in view of the information stored on the user account.

8. Claims 24 and 26-28 are rejected under 35 U.S.C. 103(a) (Eff. Filing date of application 2/19/2004) as being unpatentable over Schmonsees (U.S. patent 5,842,221) (Eff. filing date of application 2/19/1997) in view of Busey et al. (U.S. patent 6,377,944) (Eff. Filing date of application: 12/11/1998) (hereinafter Busey) and further in view of Tarni et al. (US Pub. 2004/0133474) (Eff. filing date of application: 12/31/2002) (hereinafter Tarni) further in view of eHelp (DynaHelp Analyzes customer interactions to Dynamically improve web site Usability (Eff. filing date of publication: 10/23/2000) (Hereinafter eHelp).

As to claim 24, Schmonsees teaches a system for providing a frequently asked questions (FAQ) page wherein the FAQ page provides at least one question with an answer corresponding to the question (see abstract and column 1, lines 4-7), comprising:

a first set of data containing a plurality of questions (see column 5, lines 12-13);

a third set of data containing a plurality of answer, wherein each of the answers is associated with at least one of the questions and each of the questions is associated with one or more answers (see figure 6; claim 1; column 2, lines 29-39; column 5, lines 8-19; and col. 4, lines 2-5);

logic, communicatively coupled to the first set of data and the second set of data, the logic to receive a request from a user to access the frequently asked questions (FAQ) page, to retrieve from the second set of data the account data for the user, and to select a group of questions from the first set of data and associated answers from the third set of data to display to the user based on the account data for the user, so that the displayed group of questions are personal to the user based on the personal data of the user (see column 5, lines 8-19).

Schmonsees does not expressly teaches a second set of data containing account data for a plurality of users, wherein the account data is associated with personal data related to the user, but.

Busey teaches web response unit including computer network based communication (see abstract), in which he teaches a second set of data containing account data for a plurality of users (see col. 13, lines 52-56).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Schmonsees by the teaching of Busey because a second set of data containing account data for a plurality of users, would enable the method to show to the right user the account that belong to that user and the method facilitate the search to the user providing information in view of the user preferences.

Schmonsees does not expressly teach wherein the account data is associated with personal data related to the user.

Tami teaches method of processing customer information for a retail environment (see abstract), in which he teaches wherein the account data is associated with personal data related to the user (see paragraphs 322 and 416) (same motivation of claim 1, above).

Schmonsees, Busey, nor Tami expressly teaches FAQ based on the account data so that the displayed group of questions are personal to the user based on the personal data of the user.

eHelp teaches customer assistance software solution (see document), in which he teaches FAQ based on the account data so that the displayed group of questions are personal to the user based on the personal data of the user (see page 2, paragraph 5).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Schmonsees by the teaching of eHelp because FAQ based on the account data so that the displayed group of questions are personal to the user based on the personal data of the user, would enable the method to save some time to the user every time the user login on the account.

"Patent-pending iPredict technology anticipates where customers need help based on prior patterns, and has the answers waiting for them. Ineffect, iPredict dynamically generates FAQ's for the Web site, and then continuously updates them to stay in sync with new content and with customers changing needs. This instant assistance and targeted information leads to greater site usability and increased customer satisfaction", (see page 2, paragraph 5).

As to claim 26, Schmonsees as modified teaches wherein the logic selects an answer to one of the group questions, based on the account data for the user, from a plurality of answers contained in the third set associated with the group question (see Schmonsees, figure 6).

As to claim 27, Schmonsees as modified teaches wherein the logic formats an answer to one of the group questions by inserting data obtained from the account data for the user into the



answer (see Schmonsees, claim 1; column 3, lines 56-58 and column 4, lines 35-43).

As to claim 28, Schmonsees as modified teaches the system further comprising a display mechanism to display the group of questions (see Schmonsees, column 5, lines 12-15).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Belix M. Ortiz whose telephone number is 571-272-4081. The examiner can normally be reached on monday-friday 9am-5pm.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

bmo

December 18, 2009

/Charles Rones/

Supervisory Patent Examiner, Art Unit 2164